

Chapter 5.44

SIDEWALKS SNOW REMOVAL AND CLEANING BUSINESSES

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5.44.010 Permit to Operate Snow Removal or Sidewalk Cleaning Equipment Required.

No person shall operate for commercial purposes on any sidewalk within the city any motor-powered snow removal or sidewalk cleaning equipment without first obtaining a permit from the City Clerk.

The term sidewalk shall mean that portion of a public right-of-way between the curb line and adjacent property line improved for or used for or by pedestrians. (Ord. 15476 §1; March 5, 1990: P.C. §5.62.010: Ord. 9340 §1; October 9, 1967: prior Ord. 8118 §1; July 22, 1963).

5.44.020 Permit; Application.

Applications for permits issued hereunder shall be made on forms prepared and made available by the Director of Public Works and Utilities. (Ord. 16951 §35; March 11, 1996: prior Ord. 15476 §2; March 5, 1990: P.C. §5.62.020: Ord. 9340 §2; October 9, 1967: Ord. 8118 §2; July 22, 1963).

5.44.030 Permit; Issuance.

The Director of Public Works and Utilities shall issue a permit hereunder when:

- (a) Such equipment does not exceed seventy-five horsepower;
- (b) The equipment is in a safe condition;
- (c) The bond and insurance policy, as required by this chapter, has been approved;
- (d) The gross load weight of such equipment shall not exceed 7,500 pounds.
- (e) The axle weight of such equipment with two wheels mounted on said axle shall not exceed 4,500 pounds and further that the weight for an axle with a single wheel shall not exceed 2,500 pounds;
- (f) The distributed load through the equipment's wheels to the sidewalk surface shall not exceed 150 pounds per square inch, and further the distributed load through said wheels shall not exceed 2,000 pounds per square foot to the subgrade of the sidewalk. (Ord. 16951 §36; March 11, 1996: prior Ord. 15476 §3; March 5, 1990: P.C. §5.62.030: Ord. 9340 §3; October 9, 1967: Ord. 8118 §3; July 22, 1963).

5.44.040 Permit; Fee; Term; Transferability.

A permit shall be issued to a successful applicant hereunder after payment to the Director of Public Works and Utilities of an annual permit fee of ten dollars. All permits shall expire on the thirty-first day of May following the date of issuance thereof, unless sooner revoked; and no permit shall be assignable or transferable either as to permittee or equipment. (Ord. 16951 §37; March 11, 1996: prior Ord. 15476 §4; March 5, 1990: P.C. §5.62.040: Ord. 9340 §4; October 9, 1967: Ord. 8118 §4; July 22, 1967).

5.44.050 Bond; Liability Insurance.

Every applicant for a permit hereunder shall accompany the application with a bond approved as to form by the City Attorney, executed by a bonding company or surety company authorized to do business in the State of Nebraska, in the sum of \$10,000.00, conditioned that the permittee shall save and keep the city free and harmless from any and all loss or damages arising from or out of the use of said permit, and upon the payment by the permittee of any and all liabilities, judgments, costs, and expenses for injuries to persons or damages to property arising out of the operation or maintenance of such motor-powered snow removal or sidewalk cleaning equipment. The foregoing condition shall include payment to the city as necessary to restore the sidewalk to such condition as will meet with the approval of the Director of Public Works and Utilities if by operation of the equipment there is damage to said sidewalk.

In addition to the bond, every applicant for such permit shall also file with the application required a proof of public liability insurance as provided in Chapter 5.58 of the Lincoln Municipal Code. (Ord. 16951 §38; March 11, 1996: prior Ord. 15476 §5; March 5, 1990: P.C. §5.62.050: Ord. 11995 §3; May 31, 1971: Ord. 9340 §5; October 9, 1967: Ord. 8118 §5; July 22, 1963).

5.44.060 Permit; Suspension; Revocation.

The Director of Public Works and Utilities shall have the authority to revoke or suspend a permit issued hereunder if the director finds that such permittee fails, neglects, or refuses to comply with the provisions of this chapter. (Ord. 16951 §39; March 11, 1996: prior Ord. 15476 §6; March 5, 1990: P.C. §5.62.060: Ord. 9340 §6; October 9, 1967: Ord. 8118 §6; July 22, 1963).